

CURRENT TOPICS

ONE OF THE MOST INTERESTING CASES in our new possessions relates to the charge of smuggling brought against officers of the United States navy and other prominent men. An Associated press dispatch from San Juan, P. R., under date of April 14, said that District Attorney Pittingill had received from the department of justice in Washington instructions not to present information concerning the alleged smuggling to the grand jury. The press and natives of Porto Rico have demanded an investigation and on the afternoon of April 14, the grand jury appeared in court and the foreman addressing the judge, said: "It has come to our knowledge that certain cases of smuggling have occurred. We have asked the district attorney about the matter and he refused to bring up the matter, alleging that he had received certain instructions. We now ask the judge if we have a right to information in spite of the district attorney's refusal."

THE TESTIMONY REGARDING THESE smuggling cases, according to the Associated press dispatch, points to a dozen prominent officials of the navy, army, and insular government and citizens being implicated in the charges. Replying to the grand jury foreman's statement, Judge Holt delivered in writing the following charge: "When you were empanelled at the beginning of the term you swore that you would make a diligent inquiry into, and a true presentment make, of such matters given to you or which might otherwise come to your knowledge touching violations of the statutes of the United States and that you would make no presentment through envy, hatred, favor, affection or reward or through hope thereof. You could not, if you desired, escape from the obligations of your oath by heeding the instructions of any one. The honored president of the United States could pardon but he could not interfere. If you believe any one has given instructions tending to prevent the fullest investigation into the commission of a crime in the United States and the return of an indictment if the evidence so warrants, then you should be inspired by an additional determination to do your duty. The court has knowledge of the instructions to which the district attorney alludes. It is proper to say that it is my opinion that there has been no intention of encroaching upon your sworn duty."

THE PORTO RICAN SMUGGLING CASES aroused new interest, by the dispatches from Washington under date of April 15. The Associated press said that on April 15 the department of justice sent to the United States attorney at San Juan the following instruction: "Your duty is to obey my instructions to dismiss the pending smuggling cases and present no new cases until otherwise directed. Considerations of moment, not confined to Porto Rico or the individuals involved, have moved the administration, after a full investigation, to take this course, which will be adhered to. But if the judge calls upon you or the court requests, you will perform your usual functions before the grand jury. The fact that the government may not or will not prosecute if indictments are found does not prevent consideration by the grand jury."

IT WAS GENERALLY REGARDED AS strange that the department of justice while advising the United States attorney in Porto Rico that if the judge called upon him to perform his duty, he should do so, should intimate that the government might not prosecute if indictments were found. In the effort to meet criticism growing out of these facts, the department of justice later issued the following statement: "The facts are that the treasury department approved a settlement in one of the cases, on the basis of relief from criminal liability upon payment of a fine equal to double the amount of duties. Instructions to this effect were given to the United States attorney at San Juan by the solicitors of the treasury. He asked for confirmation of this instruction and the matter was brought before the cabinet, when the president directed Secretary Moody and Postmaster General Payne to investigate the entire subject on their arrival at Porto Rico, and that the cases should be dealt with in accordance with their recommendation. This recommendation was that all criminal pro-

ceedings should be dismissed and discontinued upon the payment of the civil obligation, as above indicated. In accordance with this recommendation the attorney general directed the United States attorney for Porto Rico to dismiss pending cases and to present no more cases to the grand jury until he was otherwise instructed. The cases involve certain officers of the army and navy and certain civilian employes of the government of Porto Rico."

THE GOVERNMENT'S STRANGE ACTION IN the Porto Rican smuggling cases seems to call for considerable explanation and so Postmaster General Payne has taken a hand and has issued the following explanation: "These cases were called to the attention of the cabinet because they involved officers of the army and navy, and at the request of the attorney general the secretary of the navy and the postmaster general, who were about to visit Porto Rico, were asked to make a personal investigation into the facts of the case. It seems that certain officers had brought to San Juan articles for personal use which were subject to customs duties, especially cigars and some liquors, and it was said that a present of some of the cigars was made to a local club in San Juan. There was no charge of importing anything upon which it was proposed to make money or to sell for profit, simply personal effects for personal use, some of which, it seems, were given away. We were advised by the secretary of the treasury, such cases coming under his jurisdiction, that in cases of this character, where there was no intention to import for profit, meaning by that where goods were not brought in for sale, it is customary not to prosecute criminally, but to settle such cases by the payment of the penalty. This was done in this case and the officer or officers in question have paid the penalty imposed by the treasury department. A settlement on this basis having been approved by the secretary of the treasury it seemed to the secretary of the navy and to the postmaster general that criminal prosecution would be persecution, and we felt entirely justified in recommending that no further action be taken."

IN SPITE OF THE ATTITUDE TAKEN BY the representatives of the administration, at Washington, it is announced from San Juan under date of April 15, that the grand jury is to proceed with the cases and inasmuch as a native of Porto Rico was recently punished by a fine and imprisonment for a similar offense, there is among the native population a strong determination that the smuggling cases shall be pushed against these influential offenders.

THE RECENT DEATH OF SIR CHARLES EDWIN Ishan directs attention to the famous rock garden of Lamport, Northamptonshire, of which garden he was the creator. The London correspondent of the New York Herald says that the construction of this lilliputian fairy land of fancy required half a century's work, and referring to the creator of this strange enterprise this correspondent says: "He took a space measuring ninety feet by thirty-seven feet and rising at the summit to thirty-four feet, and out of it carved caves, hollows, caverns, grottoes and quarries where pigmy miners delved. Softest verdure upholsters the rocks, rare flowers trim the ledges, and from the crevices of miniature bowlders century old trees send their wizened trunks. The baronet's grottoed conceit was not without a touch of humor. In some rocky recesses manikin miners two or three inches high lounged in various attitudes against inscriptions demanding 'eight hours' sleep, eight hours' play, eight hours' work, eight hours' pay.'"

ACTING UNDER THE AUTHORITY GIVEN the governor of New Jersey to dissolve corporations which are in arrears in the state tax for two years, Governor Murphy recently issued a proclamation destroying 927 New Jersey corporations. The aggregate capital of these concerns on paper is \$240,000,000. The charters thus annulled by the New Jersey governor were largely held by companies whose promoters were unsuccessful in completing their scheme. It is further reported that aside from the corporations whose charters

were annulled by the governor, during the year ending April 1, 1903, receivers were appointed for 127 corporations having a capital stock of \$274,000,000.

IMMEDIATELY FOLLOWING THE DECISION of the United States court of appeals in the Northern Securities merger case, came the announcement that United States Assistant Attorney General James M. Beck, who had taken the leading part in presenting to the court the case for the government, had resigned and would become associated with a firm of New York lawyers. The New York correspondent of the Cincinnati Enquirer says that the law firm with which Mr. Beck will become associated has a reputation of "successes as a combination constructing and advising firm, personifying from the professional point of view the tendency toward merger and suppression of competition." This correspondent says: "It is all a matter of inference, but it is a fair presumption that the experience, tact, courage, learning and ability which were revealed by Mr. Beck in the preparation of the lottery and the Northern Securities cases were just the qualities which this leading firm of corporation lawyers of New York were anxious to secure, so that they might strengthen themselves. Mr. Beck reaches New York in happy realization of an ambition long held, as so many others who are of high influence in commercial and financial affairs have done, by way of the training school which service under the United States government makes possible. And it would not be venturing too far-fetched a guess if it were to be predicted that possibly before the Northern Securities case had been finally determined by the supreme court Mr. Beck might be found professionally defending in other cases the principle which he professionally attacked, but as a servant of the federal government, in the Northern Securities case."

AN ODD RULE IN FORCE IN THE UNITED States supreme court is referred to by the Washington correspondent of the Indianapolis Sentinel in this way: "One of the traditions of the court prevents newspaper correspondents from attending the sessions of the court in their professional capacity. Provision is made for a representative of each of the great press associations, but the correspondents have to push and crowd in behind the rear railing with the hundreds of other spectators. Usually they have to stand up, and if they are seen taking notes an attendant escorts them to the door. The result is that the 200 or more correspondents have to depend on their memory for their reports of proceedings in the supreme court room."

ENGLAND, SCOTLAND, AND WALES ARE losing many people these days in order to provide population for the Canadian northwest. On April 11 a party of 1,904 immigrants arrived at Partridge island. It is said that each family had at least \$2,500 in cash. Speaking to the St. John, N. V., correspondent of the Chicago Chronicle, Reverend George Lloyd, one of the leaders, said that 10,000 more English, Scotch and Welsh people would come to Canada next March. "The mother country," said Mr. Lloyd, "is being stirred to its center by the wonderful possibilities afforded in Canada and in the next few years the greatest exodus ever seen in British history will commence there." A dispatch under date of Winnipeg, Man., April 11, to the Chronicle, says: "Immigration authorities have had to appeal to the military for tents in which to house new settlers. The minister of militia at once acquiesced and offered to furnish all the tents necessary. Not less than 2,000 of the ordinary sized military tents will at once be forwarded from Ottawa, Kingston, Toronto, Quebec and Halifax."

BROCK'S STATUE OF GLADSTONE HAS been placed in Westminster Abbey near that of Beaconsfield, and the London correspondent for the Chicago Chronicle compares the two statues in this way: "The 'great commoner' of the end of the nineteenth century is shown in the ordinary dress of men of his time, while Beaconsfield appears in his robes of state. The sculptor has intended to mark the difference between these